REMARKS

Claims 1-18 are currently pending in this application. By this response to the Office Action mailed on November 9, 2009, claims 1, 3, 5, 7, 9, 11, 13, 15, and 17 are amended. Support for the amendments is found, for example, in paragraph [42] of the specification as originally filed. No new matter is added. Applicants appreciate the allowance of claims 2, 4, 8, 10, 14, and 16. Favorable reconsideration of the application in light of the foregoing amendments and following comments is respectfully submitted.

Rejections Under 35 U.S.C. §§ 102 and 103(a)

On page 3 of the Office Action, claims 6, 12, and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,401,166 (Chiba). On page 7 of the Office Action, claims 1, 3, 7, 9, 13, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chiba in view of U.S. Patent No. 6,591,327 (Briner). On page 15 of the Office Action, claims 5, 11, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chiba in view of U.S. Patent No. 6,873,789 (Nakamura). Applicants respectfully traverse.

Claims 1, 7, and 13 each recite, *inter alia,* a "region secured between the terminal end of the partition management information region and the starting end of the partition region is larger than 200 times the first size and is in a state where data is physically erased."

Claims 3, 9, and 15 each recite, *inter alia*, "a region which is not used for the recording is larger than 200 times the first size . . . in a state where data is physically erased."

Claims 5, 11, and 17 each recite, *inter alia*, "a predetermined region larger than 200 times the first size included in the partition is secured prior to a starting end of the space bit map region, and . . . in a state where data is physically erased."

Claims 6, 12, and 18 each recite, *inter alia*, "a continuous series of at least 200 clusters

each has a state value indicating a cluster is not to be written to because it is a defective cluster, a

reserved cluster, or an already-used cluster; and a region of the user data region corresponding to

the continuous series of at least 200 clusters is physically erased."

Paragraph [42] of the specification as originally filed illustrates an example of the above

regions, as it explains:

> . . . the actual number of the memory blocks in one group in the semiconductor
> memory card is a few hundreds through a few thousands. Therefore, a larger
> number of memory blocks can be secured as the switch region, which largely
> reduces the rewriting number of times per one memory block.

In contrast, the Office Action relies upon in Chiba a much smaller region that has a size

smaller than a block - only 14 pages (the "empty region" spanning pages 2-15 in Chiba, FIG. 4),

arguing that this discloses the recited regions noted above. However, the claimed subject matter

employs a region larger than 200 times the recited first size, which is substantially larger than the

14 pages provided in the empty region shown in Chiba – even if, for the sake of argument, one

were to modify Chiba, which does not disclose the pages as being individually erasable (*see*

Chiba, col. 2, lines 9-31 (describing "a block erasing type memory device . . . capable of erasing

stored data collectively in units of one block")), in view of Briner in the manner proposed by the

Office Action.

The purpose of the empty region in pages 2-15 of Chiba, FIG. 4 is to align the beginning

of the FAT table with the beginning of a block and "coinciding a start position and end position

of each of the clusters with the start position and end position of the block" (Chiba, col. 2, lines

49-51). Chiba, in order to avoid having the FAT table starting from a page in the middle of

block 1, provides empty pages 2-14 inside the block so as to align the head of the FAT table with

the beginning of the next block.

Chiba provides an empty region of pages 2-15 of block 1 for the purpose of alignment. But block 2, subsequent to block 1, does not have an empty region and the FAT table is allocated therein. In other words, Chiba does not disclose or suggest providing an empty region outside of block 1 (e.g., blocks 2, 3, 4, . . ., etc.), because to fulfill the alignment purpose performed by Chiba's empty region does not require providing an empty region outside of block 1.

In contrast, the claimed subject matter provides empty space not only in a single block, but at least 200 blocks. This is because the empty space in the claimed subject matter is utilized to disperse the number of rewritings, which extends the usable life of a non-volatile semiconductor recording medium, and not for the purpose of merely adjusting alignment of the FAT table, as disclosed by Chiba. The 14 pages provided in Chiba's empty region, even if modified to be separately erasable, is not large enough to realize the benefits of the claimed subject matter.

Accordingly, the cited art does not disclose or render obvious the recited use of regions larger than 200 times the first size. Thus, Applicants respectfully request withdrawal of the rejections of the claims.

II. Conclusion

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call the undersigned attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to

such deposit account.

Respectfully submitted,

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